IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 17158 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PRAFULCHANDRA LALJIBHAI MEHTA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 17158 of 2004

MR CHIRAG B PATEL for Petitioner No. 1

MR AY KOGJE A.G.P. for Respondent No. 1

MR TUSHAR MEHTA for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 07/01/2005

ORAL JUDGEMENT

1. RULE. Mr. Kogje A.G.P. waives service of rule on behalf of respondent no. 1 and Mr. Tushar Mehta

waives service of rule on behalf of respondent no. 2. At the request of learned counsels the matter is taken up for final hearing today.

2. Heard the learned advocates for the respective parties. It appears that respondent no. 1 has fixed the hearing of Revision Application on 10th January, 2005. Hence, the interest of justice would be met if the concerned authority is directed to dispose of the said application at the earliest. Accordingly it is directed that respondent no. 1 shall hear the Application on the date fixed and shall examine the matter under Section 48 of the Act. He shall also examine the decision taken by the Agricultural Produce Market Committee, keeping in mind the different Resolutions issued for the purpose of issuance of licence at the time of election. It is observed that the Deputy Secretary, shall examine whether the directions issued by the Director, Agriculture Marketing & Rural Finance are complied with by the Administrator or not.

3. With the above directions, the petition stands disposed of. Rule is made absolute to the aforesaid extent with no order as to costs.

4. Direct Service is permitted today.

[K.S. JHAVERI, J.]

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